

## Federal Communications Commission

## § 73.621

figures. Antenna heights above average terrain will be specified to the nearest meter. Midway figures will be authorized in the lower alternative.

[50 FR 23698, June 5, 1985]

### § 73.621 Noncommercial educational TV stations.

In addition to the other provisions of this subpart, the following shall be applicable to noncommercial educational television broadcast stations:

(a) Except as provided in paragraph (b) of this section, noncommercial educational broadcast stations will be licensed only to nonprofit educational organizations upon a showing that the proposed stations will be used primarily to serve the educational needs of the community; for the advancement of educational programs; and to furnish a nonprofit and noncommercial television broadcast service.

(1) In determining the eligibility of publicly supported educational organizations, the accreditation of their respective state departments of education shall be taken into consideration.

(2) In determining the eligibility of privately controlled educational organizations, the accreditation of state departments of education or recognized regional and national educational accrediting organizations shall be taken into consideration.

(b) Where a municipality or other political subdivision has no independently constituted educational organization such as, for example, a board of education having autonomy with respect to carrying out the municipality's educational program, such municipality shall be eligible for a noncommercial educational television broadcast station. In such circumstances, a full and detailed showing must be made that a grant of the application will be consistent with the intent and purpose of the Commission's rules and regulations relating to such stations.

(c) Noncommercial educational television broadcast stations may transmit educational, cultural and entertainment programs, and programs designed for use by schools and school systems in connection with regular school

courses, as well as routine and administrative material pertaining thereto.

(d) A noncommercial educational television station may broadcast programs produced by or at the expense of, or furnished by persons other than the licensee, if no other consideration than the furnishing of the program and the costs incidental to its production and broadcast are received by the licensee. The payment of line charges by another station, network, or someone other than the licensee of a noncommercial educational television station, or general contributions to the operating costs of a station, shall not be considered as being prohibited by this paragraph.

(e) Each station shall furnish a nonprofit and noncommercial broadcast service. Noncommercial educational television stations shall be subject to the provisions of § 73.1212 to the extent that they are applicable to the broadcast of programs produced by, or at the expense of, or furnished by others. No *promotional* announcements *on behalf of for profit entities* shall be broadcast at any time in exchange for the receipt, in whole or in part, of consideration to the licensee, its principals, or employees. However, acknowledgements of contributions can be made. *The scheduling of any announcements and acknowledgements may not interrupt regular programming.*

NOTE: Commission interpretation of this rule, including the acceptable form of acknowledgements, may be found in the Second Report and Order in Docket No. 21136 (Commission Policy Concerning the Noncommercial Nature of Educational Broadcast Stations), 86 F.C.C. 2d 141 (1981); the Memorandum Opinion and Order in Docket No. 21136, 90 FCC 2d 895 (1982), and the Memorandum Opinion and Order in Docket 21136, 49 FR 13534, April 5, 1984.

(f) Telecommunications Service on the Vertical Blanking Interval and in the Visual Signal. The provisions governing VBI and visual signal telecommunications service in § 73.646 are applicable to noncommercial educational TV stations.

(g) Non-program related data signals transmitted on Line 21 pursuant to § 73.682(a)(22)(ii) may be used for remunerative purposes.

**§ 73.622**

**47 CFR Ch. I (10–1–05 Edition)**

(h) Mutually exclusive applications for noncommercial educational TV stations operating on reserved channels shall be resolved pursuant to the point system in subpart K.

(i) With respect to the provision of advanced television services, the requirements of this section will apply to the entire digital bitstream of non-commercial educational television stations, including the provision of ancillary or supplementary services.

[28 FR 13660, Dec. 14, 1963, as amended at 35 FR 7558, May 15, 1970; 47 FR 36179, Aug. 19, 1982; 48 FR 27068, June 13, 1983; 49 FR 29069, July 18, 1984; 50 FR 4664, Feb. 1, 1985; 50 FR 4684, Feb. 1, 1985; 61 FR 36304, July 10, 1996; 65 FR 36378, June 8, 2000; 66 FR 58982, Nov. 26, 2001]

**§ 73.622 Digital television table of allotments.**

(a) *General.* The following table of allotments contains the digital television (DTV) channel allotments designated for the listed communities in the United States, its Territories, and possessions. The initial DTV Table of Allotments was established on April 3, 1997, to provide a second channel for DTV service for all eligible analog television broadcasters. Requests for addition of new DTV allotments, or requests to change the channels allotted to a community must be made in a petition for rule making to amend the DTV Table of Allotments. A request to amend the DTV table to change the channel of an allotment in the DTV table will be evaluated for technical acceptability using engineering criteria set forth in § 73.623(c). A request to amend the DTV table to add a new allotment will be evaluated for technical acceptability using the geographic spacing criteria set forth in § 73.623(d). DTV allotments designated with an asterisk are assigned for use by non-commercial educational broadcast stations only. Stations operating on DTV allotments designated with a “c” are required to comply with paragraph (g) of this section. Rules governing noncommercial educational TV stations are contained in § 73.621. Where there is only one technically available channel available in a community, an entity that would be eligible to operate a noncommercial educational broad-

cast station may, prior to application, initiate a rulemaking proceeding requesting that an unoccupied or new channel in the community be changed or added as reserved only for non-commercial educational broadcasting upon demonstrating that the non-commercial educational proponent would provide a first or second non-commercial educational TV service to 2,000 or more people who constitute 10% of the population within the proposed allocation’s noise limited contour.

(1) Petitions requesting the addition of a new allotment must specify a channel in the range of channels 2–51.

(2) Petitions requesting a change in the channel of an initial allotment must specify a channel in the range of channels 2–58.

(b) *DTV Table of Allotments.*

**ALABAMA**

Community	Channel No.
Anniston .....	9
Bessemer .....	18c
Birmingham .....	30, 36, 50, 52, *53
Demopolis .....	*19
Dothan .....	21, 36
Dozier .....	*11
Florence .....	14, 20, *22
Gadsden .....	26, 45c
Homewood .....	28
Huntsville .....	*24, 32c, 41, 49c, 59
Louisville .....	*44c
Mobile .....	9, 18, 20, 27, *41, 47
Montgomery .....	14, 16, *27, 46c, 51
Mount Cheaha .....	*56
Opelika .....	31
Ozark .....	33
Selma .....	55
Troy .....	48
Tuscaloosa .....	5
Tuskegee .....	24

**ALASKA**

Community	Channel No.
Anchorage .....	6c, *8c, 10c, 12c, 20, *26, 28, 32
Bethel .....	*3
Dillingham .....	*9
Fairbanks .....	18, 22, *24, 26, 28
Juneau .....	*10, 11
Ketchikan .....	*8, 13
North Pole .....	20
Sitka .....	2

**ARIZONA**

Community	Channel No.
Flagstaff .....	18, 22, 27, 32
Green Valley .....	47c
Kingman .....	19, *46